

[10121/01601]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : James F. McGUCKIN  
 Serial No. : 09/697,306  
 Filed : October 27, 2000  
 Title : SURGICAL APPARATUS AND METHOD  
 Group Art Unit : 3761  
 Examiner : G. Dawson

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Mail Stop: AF

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By:  Date: February 6, 2004

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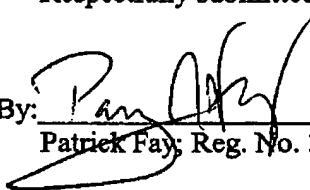
**TRANSMITTAL**

SIR:

In response to the Office Action mailed November 7, 2003, transmitted herewith please find a Response Under Rule 116 for filing in the above-identified application.

No fees are believed to be required. However, if fees are required, please charge the Deposit Account of **Fay Kaplun & Marcin, LLP No. 50-1492**. A copy of Transmittal is included for that purpose.

Respectfully submitted,

By:   
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